

NAC 284.678 Statement of grievance: Contents; time to file. (NRS 284.065, 284.155, 284.384)

1. Except as otherwise provided in *subsections 3, 4, and 5* an employee who feels aggrieved and wishes to file a formal grievance must submit his grievance in writing to his immediate supervisor on the official form, or in a letter if the official form is not available, within 20 working days after the date of the origin of the grievance or the date the employee learns of the problem. The parties should make every effort to resolve the grievance through informal discussions within these 20 working days.
2. If the employee submits a letter, it must include:
 - (a) His name;
 - (b) His most recent date of hire;
 - (c) His position;
 - (d) His department, division and section;
 - (e) His mailing address;
 - (f) His business telephone number;
 - (g) A statement that he is filing a formal grievance;
 - (h) The date, time and place of the event or the date the employee learns of the event leading to the grievance;
 - (i) A concise statement of his grievance;
 - (j) A detailed description of his grievance, including the names of other persons involved in the event, if any;
 - (k) A proposed solution of his grievance;
 - (l) His signature; and
 - (m) The date he signed the statement.
3. If a grievance relates to a decision of a reviewing officer about a performance evaluation, an employee must file a grievance that identifies the specific points of disagreement, if such specificity is provided, not later than 10 working days after the date the employee receives the decision of the reviewing officer. If the grievance relates to the failure of a reviewing officer to respond to a request for a review within the time required by NAC 284.470, an employee must file a grievance not later than 10 working days after the date on which the time for such a response expired. A grievance filed pursuant to this subsection must be filed with:
 - (a) The appointing authority; or
 - (b) If the appointing authority is the immediate supervisor of the employee or the reviewing officer, the person who is at the next level of the grievance process.
4. *If the parties are engaged in informal discussions in an attempt to resolve the matter, the time limit for filing the grievance may be extended by the mutual agreement of the employee and the appointing authority or his designated representative. Any extension must be reduced to writing and signed by the parties on a form developed by the Department.*
5. *Extensions may be granted at each step of the grievance procedure utilizing the procedures listed in subsection 4.*

Personnel Div., Rule XV § A part subsec. 1, eff. 8-11-73; A 6-9-74; 2-5-82]—(NAC A by Dep't of Personnel, 10-26-84; 10-18-89; 3-23-94; R197-99, 1-26-2000)

NAC 284.682 Appeal of grievance to higher level. (NRS 284.065, 284.155, 284.384)

1. If the correction of the matter under appeal is beyond the control of a level of supervision contemplated in this procedure or if the Department of Personnel determines that the submission of the grievance to the supervisor would be a useless act, the aggrieved employee may appeal directly to the next appropriate level.
2. An employee has 10 working days to refer his grievance to the next level after:

- (a) He receives notification of the action; or
- (b) The passage of 10 working days after his grievance is deemed to have been received, whichever occurs first, at each step in the procedure.

[Personnel Div., Rule XV § A part subsec. 1, eff. 8-11-73; A 6-9-74; 2-5-82]—(NAC A by Dep't of Personnel, 10-26-84; A by Personnel Comm'n by R065-98, 7-24-98)

NAC 284.696 Unlawful discrimination. (NRS 284.065, 284.155, 284.384)

1. An employee alleging unlawful discrimination based on any pertinent state or federal law or regulation may:
 - (a) Report the alleged discrimination to the *Department of Personnel Sexual Harassment/Discrimination Unit*, Attorney General, the employee's appointing authority, an equal employment opportunity officer, a personnel representative for his department, *or the appropriate University and Community College System of Nevada Affirmative Action Office* for *investigation*;
 - (b) Use the procedure for the adjustment of a grievance contained in NAC 284.658 to 284.6957, inclusive; or
 - (c) File a complaint with the Nevada Equal Rights Commission pursuant to NRS 613.405.
 2. The appointing authority of an employee who has alleged unlawful discrimination shall promptly notify the deputy attorney general or staff counsel assigned to represent the agency of the allegation and the actions which are being undertaken by the agency to address the allegation.
- (Added to NAC by Dep't of Personnel, eff. 10-26-84; A 9-16-92; 11-16-95)